



W.P(MD)No.13841 of 2020

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 07.07.2025

CORAM:

**THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM
AND
THE HONOURABLE DR.JUSTICE A.D.MARIA CLETE**

**W.P(MD)No.13841 of 2020
and
W.M.P.(MD) No.11485 of 2020**

Rajaram

... Petitioner

Vs.

The Commissioner,
Arignar Anna Maligai,
Madurai Corporation,
Madurai.

... Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, to forbear the respondent from unlawfully disturbing the petitioner's possession of the premises at North Chittrai Street in the vacant site near the PWD Office at zone 4, ward 84 which was allotted by the respondent till the shops are allotted at the erstwhile Periyar Bustand.

For Petitioner : Mr.V.Perumal

For Respondent : Mr.S.Vinayak
Standing Counsel



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ORDER

[Order of the Court was made by S.M.SUBRAMANIAM, J.]

The writ on hand has been instituted to forbear the respondent from unlawfully disturbing the petitioner's possession of the premises at North Chittrai Street in the vacant site near the PWD Office at zone 4, ward 84.

2. The relief sought for in this writ petition is presumptive and is not entertainable in the nature of an injunction cannot be granted. Thus, this writ petition is premature.

3. The respondent-Corporation is empowered to initiate enforcement action for removal of encroachment or to demolish unauthorised construction under the relevant provisions of the Act and Rules. Therefore, this Writ Petition filed to forbear the respondent from disturbing the possession of the premises occupied by the petitioner cannot be granted. The respondent is therefore, directed to conduct inspection, identify the encroachments/unauthorised construction, if any, and initiate enforcement action and conclude the same as expeditiously as possible.



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4. With the above direction, this Writ Petition stands disposed of. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

J.]

[S.M.S., J.]

[A.D.M.C.,

07.07.2025

Index:Yes

Internet:Yes/No

NCC:Yes/No

abr

To

The Commissioner,
Arignar Anna Maligai,
Madurai Corporation,
Madurai.



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S.M.SUBRAMANIAM, J.
and
DR.A.D.MARIA CLETE, J.

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